

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION

UNITED STATES OF AMERICA,)	DOCKET NO. 5:09CR49
)	
Plaintiff,)	
)	CONSENT ORDER AND
v.)	JUDGMENT OF FORFEITURE
)	
(11) JASON SCOTT COOK,)	
)	
Defendant.)	

WHEREAS, the defendant JASON SCOTT COOK has entered into a plea agreement (incorporated by reference herein) with the United States and has voluntarily pleaded guilty pursuant to Federal Rule of Criminal Procedure 11 to one or more criminal offenses under which forfeiture may be ordered;

WHEREAS, the defendant and the United States stipulate and agree that the property described below constitutes property derived from or traceable to proceeds of the defendant's offense(s) herein; property involved in the offenses, or any property traceable to such property; and/or property used in any manner to facilitate the commission of such offense(s); or substitute property for which under 21 U.S.C. § 853(p) and Fed. R. Crim. P. 32.2(e); and is therefore subject to forfeiture pursuant to 18 U.S.C. § 924(d), 18 U.S.C. § 982, 18 U.S.C. § 1955(d), 21 U.S.C. § 853, 18 U.S.C. § 2253, 26 U.S.C. § 5872, Fed. R. Crim. P. 32.2, 18 U.S.C. § 981(a)(1), and/or 28 U.S.C. § 2461®;

WHEREAS, the defendant herein waives the requirements of Federal Rules of Criminal Procedure 32.2 and 43(a) regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment against defendant;

WHEREAS, pursuant to Federal Rules of Criminal Procedure 32.2(b)(1) & (c)(2), the Court finds that there is the requisite nexus between the property and the offense(s) to which the defendant has pleaded guilty and/or that a personal money judgment in the amount of criminal proceeds may be entered and that the defendant has a legal interest in the property;

WHEREAS, the defendant withdraws any claim previously submitted in response to an administrative forfeiture or civil forfeiture proceeding concerning any of the property described below. If the defendant has not previously submitted such a claim, the defendant hereby waives all right to do so. If any administrative forfeiture or civil forfeiture proceeding concerning any of the property described below has previously been stayed, the defendant hereby consents to a lifting of the stay and consents to forfeiture;

WHEREAS, the undersigned United States Magistrate Judge is authorized to enter this Order by the previous Order of this Court No. 3:05MC302-C (September 8, 2005);

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

The following property is forfeited to the United States:

- Winchester, 1200, 12 gauge shotgun, s/n L609738
- Ithaca Gun Co., unknown model, 12 gauge shotgun, s/n 60296
- Unknown make, unknown model, 12 gauge shotgun, s/n G1582
- Savage, 311, 12 gauge shotgun, s/n C001865
- Mossberg, 500ATP, 12 gauge shotgun, s/n J170678
- Unknown make, R325BB, 12 gauge shotgun, s/n 261025
- Unknown make, 77C, 20 gauge shotgun, s/n unknown
- Mossberg, unknown model, 12 gauge shotgun, s/n K659005
- Unknown make, unknown model, .410 gauge shotgun, s/n 556878
- Mossberg, Maverick, 12 gauge shotgun, s/n MV40508N
- Snake Charmer, unknown model, .410 gauge shotgun, s/n 61850
- GSG, 5PK, .22 caliber pistol, s/n A289269
- Olympic Arms Inc., K23, unknown caliber pistol, s/n JF1256
- Accu-Tek, AT-380, .380 caliber pistol, s/n 016076
- Llama, BOA, .380 caliber pistol, s/n 9555655
- Raven Arms, MP-25, .762 caliber pistol, s/n unknown
- Unknown make, unknown model, .762 caliber pistol, s/n unknown
- Savage, unknown model, .32 caliber pistol, s/n 17142
- Smith & Wesson, 59, 9mm caliber pistol, s/n A368089
- Ruger, P95DC, 9mm caliber pistol, s/n 313-56764
- Ruger, P95DC, 9mm caliber pistol, s/n 313-25790
- Ruger, P94, 9mm caliber pistol, s/n 308-42461
- Smith & Wesson, 422, .22 caliber pistol, s/n TVS5529
- Kahr Arms, E9, 9mm caliber pistol, s/n AM1391
- FEG, PA-63, 9mm caliber pistol, s/n BG7494
- FEG, PA-63, 9mm caliber pistol, s/n L008640
- Makarov, PM/IJ70, 9mm caliber pistol, s/n AOT5937
- Masterpiece, unknown model, 9mm caliber pistol, s/n F0651
- Cobray, PM-11, 9mm caliber pistol, s/n 94-0022178
- Smith & Wesson, SW40VE, .40 caliber pistol, s/n PBD5653
- Ruger, unknown model, .22 caliber pistol, s/n 228-10504
- Taurus, unknown model, .45 caliber pistol, s/n NBP02522
- Ruger, Blackhawk, .44 caliber revolver, s/n 85-32461
- Smith & Wesson, unknown model, unknown caliber revolver, s/n 18277
- Dan Wesson Arms, unknown model, .357 caliber revolver, s/n 303595
- Colt, Detective Spec, .38 caliber revolver, s/n 641051
- Excam, TA76, .22 caliber revolver, s/n C78920
- Rossi, M713, .357 caliber revolver, s/n 1548

- Harrington & Richardson, 737, .32 caliber revolver, s/n AZ024182
- Rossi, .38 Special, .38 caliber revolver, s/n 5877
- Smith & Wesson, 19-4, .357 caliber revolver, s/n 61744
- Colt, Army Special, .38 caliber revolver, s/n 303182
- Smith & Wesson, 31-1, .325 caliber revolver, s/n 70999
- Heritage MFG Inc., Rough Rider, .22 caliber revolver, s/n B69721
- Ruger, Blackhawk, .357 caliber revolver, s/n 33-36318
- Smith & Wesson, Airweight, .38 caliber revolver, s/n 174X5
- Unknown make, Detective Special, .38 caliber revolver, s/n C13280
- FN Herstal, PS 90, .57 caliber rifle, s/n FN053205
- Unknown make, SKS, .762 caliber rifle, s/n 9113220
- Savage, unknown model, .762 caliber rifle, s/n unknown
- Remington, 552, .22 caliber rifle, s/n 1676260
- Norinco, MAK-90, .762 caliber rifle, s/n 9491754
- Norinco, unknown model, .556 caliber rifle, s/n 84S316685
- Marlin, 883, .22 caliber rifle, s/n 04540986
- Maadi Co., unknown model, .12 caliber rifle, s/n CA 03677
- Arsenal Co., SLR95, .12 caliber rifle, s/n 370309
- Unknown make, SKS, .762 caliber rifle, s/n 7604803C
- Unknown make, AK-47, .22 caliber rifle, s/n A646101
- Unknown make, unknown model, .762 caliber rifle, s/n unknown
- Norinco, MAK-90, .762 caliber rifle, 9499994
- Norinco, SKS, .762 caliber rifle, s/n 22048767
- Unknown make, 116MKIV, .22 caliber rifle, s/n A284361
- Savage, Glenfield MOD60, .22 caliber rifle, s/n 21477708
- Bushmaster, unknown model, .223 caliber rifle, s/n BFI489273
- Unknown make, AK-47, unknown caliber, s/n unknown
- Olympic, AR-15, .223 caliber rifle, s/n JF1256
- Unknown make, unknown model, .762 caliber rifle, s/n W9698
- Unknown make, unknown model, .25 caliber derringer, s/n 119723
- American Derringer Co., M-1, .45 caliber derringer, s/n 94293
- Phoenix Arms, Raven, .25 caliber derringer, s/n 3201469
- Beretta, 950, .25 caliber derringer, s/n BR41031V
- Unknown make, unknown model, .25 caliber derringer, s/n 126077
- Sundance Inc., BOA, .25 caliber derringer, s/n unknown
- 54 rounds of assorted ammunition
- 11 assorted magazines
- 60 firearms seized by law enforcement on September 29, 2009, at 533 Second Street Place SW, Conover, NC
- 2 firearms seized by law enforcement on October 26, 2009, in Huntersville, Mecklenburg County, NC, that were provided to, and used by, Terry Lee Adkins
- Firearms seized by law enforcement on November 24, 2009, from the residence utilized by David Mark Lowman

The United States Marshal and/or other property custodian for the investigative agency is

authorized to take possession and maintain custody of the above-described tangible property.


Upon the seizure of any property, the United States shall, to the extent practicable, provide direct written notice to any persons known to have alleged an interest in the seized property, and shall publish notice of this forfeiture as required by 21 U.S.C. § 853(n) and the aforementioned Order of this Court No. 3:05MC302-C (September 8, 2005).

As to any firearms or ammunition listed above and/or in the charging instrument, defendant consents to destruction by federal, state, or local law enforcement authorities upon such legal process as they, in their sole discretion, deem to be legally sufficient, and waives any and all right to further notice of such process or such destruction.

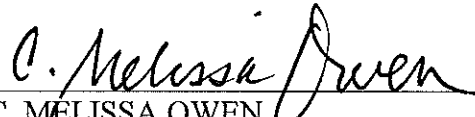
Any person, other than the defendant, asserting any legal interest in the property may, within thirty days of the publication of notice or the receipt of notice, whichever is earlier, petition the court for a hearing to adjudicate the validity of the alleged interest.

Following the Court's disposition of all timely petitions filed, a final order of forfeiture shall be entered, as provided by Fed. R. Crim. P. 32.2(c)(2). If no third party files a timely petition, this order shall become the final order and judgment of forfeiture, as provided by Fed. R. Crim. P. 32.2(c)(2), and the United States shall have clear title to the property, and shall dispose of the property according to law.


ANNE M. TOMPKINS
UNITED STATES ATTORNEY


STEVEN R. KAUFMAN
Assistant United States Attorney


JASON SCOTT COOK
Defendant


C. MELISSA OWEN
Attorney for Defendant

Signed this the 3rd day of May 2010.


HONORABLE RICHARD L. VOORHEES
UNITED STATES DISTRICT JUDGE